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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/691,384	10/22/2003	Stephen P. Oliver	HME/7477.0017

29085  
HOWARD EISENBERG, ESQ.  
2206 APPLEWOOD COURT  
PERKASIE, PA 18944

CONFIRMATION NO. 8786

## FORMALITIES LETTER



\*OC000000013506487\*

Date Mailed: 08/11/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

08/17/2004 MBIZUNES 00000073 10691384

01 FC:2051

65.00 OP

A handwritten signature in black ink, appearing to be 'BA', is positioned above a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

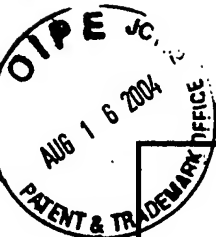


<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/691,384
		Filing Date	October 22, 2003
		First Named Inventor	Stephen P. Oliver
		Group Art Unit	1653
		Examiner Name	
Total Number of Pages in this Submission	9	Attorney Docket Number	HME/7477.0017

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee transmittal form <input checked="" type="checkbox"/> Fee attached  <input type="checkbox"/> Amendment <input type="checkbox"/> After Final/ Response <input type="checkbox"/> Affidavits/Declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified copy of Priority Documents <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts Under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an application)  <input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing Related Papers  <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Small Entity Statement  <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Additional Enclosures (identify below) Executed Declaration and Power of Attorney (3 pages)

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT	
Firm or Individual Name	Howard Eisenberg, Esq. 2206 Applewood Court Perkasie, Pennsylvania 18944
Signature	
Date	August 13, 2004

CERTIFICATE OF MAILING			
I hereby certify that, on the date shown below, this correspondence is being deposited with the United States Postal Service in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, <input checked="" type="checkbox"/> with sufficient postage as first class mail <input type="checkbox"/> as "Express Mail Post Office to Addressee" - mailing label no. _____			
Type or print name	Howard Eisenberg		
Signature		Date	August 13, 2004



# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Complete If Known

Application Number 10/691,384  
Filing Date October 22, 2003  
First Named Inventor Stephen P. Oliver  
Examiner Name

☒ Applicant claims small entity status. See 37CFR 1.27

Art Unit 1653

TOTAL AMOUNT OF PAYMENT \$65

Attorney Docket No. HME/7477.0017

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account

Deposit Account Number 50-1773

Deposit Account Name Howard Eisenberg

The Commissioner is authorized to: (check all that apply)

☒ Charge fees indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge any fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Code (\$)	Code (\$)		
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			\$0

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
45 - 45	**= 0 x	9 =	0
Indep. Claims 8 - 8	**= 0 x	43 =	0
Multiple Dependent			

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	**Reissue independent claims over original patent
1205 18	2205 9	*Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		\$0

\*\*or number of previously paid, if greater. For reissues, see above.

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	65
1052	50	2052	25	Surcharge-late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex-parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt.	
8021	40	8021	40	Recording each patent assignment per property (times no. of properties) - total assignments	
1809	770	2809	385	Filing a submission after final rejection (37 C.F.R. 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

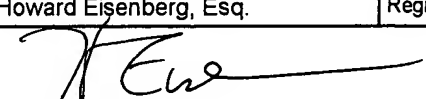
Other fee (specify)

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) \$65

## SUBMITTED BY

Complete (if applicable)

Name (print type) Howard Eisenberg, Esq. Registration No. 36,789 Telephone (215) 453-9237  
Signature  Date August 13, 2004



Atty Doc. No. HME/7477.0017

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**PATENT APPLICATION EXAMINING OPERATIONS**

In re the Application of :  
Stephen P. Oliver, et al : Group Art Unit: 1653  
  
Serial No. 10/691,384 : Examiner:  
  
Filed: October 22, 2003 : Date: August 13, 2004  
  
For a Patent for :  
STREPTOCOCCUS UBERIS ADHESION  
MOLECULE

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL  
APPLICATION  
Under 37 CFR 1.53(b)**

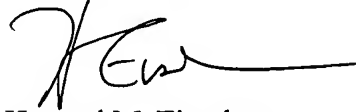
Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants submit herewith an executed Declaration and Power of Attorney as  
required in the Notice to File Missing Parts of Nonprovisional Application that was mailed on

August 11, 2004. A copy of the Notice and a check for the late declaration surcharge are enclosed.

Respectfully submitted,




Howard M. Eisenberg  
Reg. No. 36,789  
2206 Applewood Court  
Perkasie, PA 18944  
Attorney for Applicants  
Tel: (215) 453-9237

#### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box 1450, Alexandria, VA 22313-1450 on August 13, 2004.

Dated: August 13, 2004

  
Howard M. Eisenberg